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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

PART 22—APPEALS OF PREFERENCE ELIGI- BLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

MISCELLANEOUS AMENDMENTS

1. Under authority of § 6.1 (a) of Executive Order No. 9830 and at the request of the President of the Panama Railroad Company, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) is amended by the addition of a subparagraph as follows:

§ 6.4 *Lists of positions excepted from the competitive service—(a) Schedule A. * * **

(48) *Panama Railroad Company, New York, New York.* (i) The Vice President, Third Vice President, the Secretary, and the Treasurer; all positions on vessels operated by the Panama Railroad Company and checkers employed on a w. a. e. basis.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

2. Section 22.9 (g) is amended to read as follows:

§ 22.9 *Hearings. * * **

(g) *Transcripts of hearing.* If a hearing is held and a transcript of the proceedings at such hearing made, a copy of the transcript of such proceedings will be furnished to the appellant or his designated representative and the employing agency concerned, with the findings and recommendation on the appeal.

(Secs. 11 and 14, 58 Stat. 387; 5 U. S. C. 860, 863)

UNITED STATES CIVIL SERVICE
COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-3244; Filed, Apr. 13, 1948;
9:15 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Natu- ralization Service, Department of Justice

Subchapter A—Administrative Organization

PART 1—GENERAL INFORMATION REGARDING IMMIGRATION AND NATURALIZATION SERVICE

Subchapter B—Immigration Regulations

PART 150—ARREST AND DEPORTATION

AUTHORITY TO ISSUE WARRANTS OF ARREST

APRIL 6, 1948.

The following amendments to Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

1. Section 1.48a is amended by changing the period at the end of paragraph (a) to a semicolon and by adding a paragraph which, taken with the introductory sentence, shall read as follows:

§ 1.48a *Final authority; delegation to officers in charge of suboffices.* In addition to the powers granted to them by law, officers in charge of suboffices have final authority delegated to them to make determinations involving the following:

(b) Issuance of certain warrants of arrest, but this authority is delegated only to officers in charge at Fresno, Sacramento, Salinas, and Stockton, all in the State of California, in accordance with the provisions of § 150.3 (e) of this chapter; this authority is concurrent with and coextensive with the authority of district directors to issue warrants of arrest under the provisions of § 1.46 (c)

2. Section 150.3 is amended by adding paragraph (e) as follows:

§ 150.3 *Issuance of warrants of arrest. * * **

(e) In any case where the officer in charge of District No. 13, with headquarters at San Francisco, California, has authority to issue a warrant for the arrest of an alien in that part of District No. 13 on the mainland of the United States, the warrant of arrest may be issued by the officers in charge at Fresno,

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Sacramento, Salinas, and Stockton, all in the State of California, and a copy of the warrant and of all of the evidence in support thereof forwarded immediately to the Central Office and to the officer in charge of the district. The authority conferred on officers in charge of sub-offices by this paragraph shall be exercised only when the volume of warrants to be issued creates an emergent situation and the officer in charge of the district finds that it is in the interests of better administration for such authority to be exercised.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) relative to notice of proposed rule making and delayed effective date are inapplicable for the reason that the rules prescribed by this order pertain to agency organization, particularly delegation of authority. (Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a) 54 Stat. 675, sec. 1, 54 Stat. 1238, sec. 3 (a) (1) and (2) 60 Stat. 238; 8 U. S. C. 102, 222, 458, 5 U. S. C., 1002; 8 CFR 90.1 12 F. R. 4781)

WATSON B. MILLER,
Commissioner of
Immigration and Naturalization.

Approved: April 8, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3273; Filed, Apr. 13, 1948;
8:57 a. m.]

Subchapter B—Immigration Regulations
PART 108—RECORDING OF ARRIVALS,
DEPARTURES AND REGISTRATIONS
ARRIVAL AND DEPARTURE RECORDS

MARCH 22, 1948.

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of February 20, 1948 (13 F. R. 780) pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) and in which there were stated in full the terms of proposed amendments of rules (8 CFR Part 108) relating to arrival and departure records. No representations concerning the proposal have been received.

The rules as stated in the said notice of proposed rule making are hereby adopted without change and shall become effective on the thirty-first day after their publication in the FEDERAL REGISTER.

The practical basis for the issuance of these rules is a determination that there is a need for improvement in the system of recording the arrivals and departures of aliens, and the purpose of these rules is to provide for such improvement and to inform interested persons of the revised procedure.

1. Paragraph (a) of § 108.2, *Prescribed forms*, is amended by changing subparagraph (4) in the list of forms to read as follows:

(4) Form I-94, "Record of Alien Admitted for Temporary Stay"; "Visitor's Permit."

2. Section 108.3 (a) is amended to read as follows:

§ 108.3 *Nonimmigrants; Forms 257a, 257b, and 257d; action at time of entry.* (a) At the time an alien presenting Forms 257a, 257b, and 257d applies for admission to the United States for temporary stay, the alien shall surrender such forms to an immigrant inspector and, if the alien is admitted, the admitting inspector shall add on all three such forms the data as to the period and other facts of the admission, including the section and subsection of law under which the alien is admitted. The inspector shall deliver Form 257a at once to the alien and shall fasten the form in the alien's passport, if any, in such a way as will not cover or obliterate any notations in the passport. The Form 257b, without transmittal letter, shall be forwarded at once to the Central Office for statistical and permanent record purposes. The Form 257d shall be retained at the port of entry and shall be filed as the record of entry.

3. Section 108.4 is amended by amending paragraph (b) and by adding paragraphs (c) and (d) as follows:

§ 108.4 *Nonimmigrants; Forms 257a, 257b, and 257d; action at time of departure.*

(b) An alien admitted to the United States on presentation of Forms 257a, 257b, and 257d and departing from the United States to a country other than Canada shall not be required to surrender the Form 257a at the time of his departure in the following classes of cases:

(1) An alien child or children, accompanying a parent at the time of entry, are named on the parent's Form 257a and all aliens covered by the form do not depart simultaneously. In such cases, Form 257a shall be surrendered by the alien last departing and endorsed only as to his departure, unless retention is permitted by other paragraphs of this section. If the earlier departures of the other aliens named on the Form 257a occurred at the same port as that at which the entries occurred, the facts of departure shall be posted to the Form 257d and then reported to the Central Office by Form I-424; if the entries occurred at a port other than the one where such earlier departures occurred, such departures shall be verified by Form I-424 to the port of entry and the facts of departure posted to the Form 257d there, after which the Form I-424 shall be forwarded to the Central Office.

(2) Any alien (including a citizen or resident of Mexico) who during his temporary stay in the United States proceeds to Mexico for a visit of not more than 30 days, after which he intends to reenter the United States for the remainder of the period of his original temporary admission.

(3) Other exceptional cases where the Commissioner of Immigration and Naturalization has instructed immigration officers to waive or defer the surrender of Form 257a at the time of the holder's departure from the United States.

(c) Canadian immigration officers will lift Forms 257a and I-94 presented by persons entering Canada from the United

States and will deliver such forms to the appropriate United States immigration officers.

CROSS REFERENCE: The lifting of Forms 257a and I-94 by transportation companies from aliens departing through seaports will be provided for in Part 107 of this chapter.

(d) In exceptional cases, the Form 257a surrendered by the alien at the time of his departure from the United States may bear a passport visa valid for more than one entry into the United States and with enough of the period of validity remaining to enable the alien to use the visa to enter the United States again. If in such a case the alien desires to use the visa for an additional entry to the United States, he should in writing request the Commissioner of Immigration and Naturalization to return the Form 257a to him. Where proper, such return shall be made.

CROSS REFERENCE: For consular regulations concerning stamping of passport visa on Form 257a, see 22 CFR 61.115.

4. Section 108.5 (c) is amended to read as follows:

§ 108.5 *Nonimmigrants; Forms I-94 and I-448.*

(c) The admitting immigrant inspector shall fill out Form I-94a or I-94d and deliver it to the alien at the time of admission and shall fasten the form in the alien's passport, if any, in such a way as will not cover or obliterate any notations in the passport. If the alien presents a nonimmigrant visa, the visa application number shall be noted on all copies of the Form I-94. There shall also be noted on all copies of Form I-94 the section and subsection of law under which the alien is admitted. Form I-94 or I-94c shall be retained at the port of entry and shall be filed as the record of entry. Triplicate copy on Form I-94b or I-94e shall be made at the time of admission and forwarded to the Central Office only in cases (1) where the form is issued to an alien admitted to the United States for more than 29 days; or (2) where the form is issued to an alien whose journey to the United States originates in countries other than Canada or Mexico. Form I-94a or I-94d shall be surrendered by the alien at the time of his departure from the United States, except that where the circumstances described in § 108.4 (b) (1) or (2) exist the alien may retain the form, but the departure reports on Form I-424 shall be made as prescribed in § 108.4 (b) (1) where the circumstances described in that subparagraph exist. Forms I-94a or I-94d surrendered by departing aliens shall be returned to the port of entry if different from the port of departure. When satisfactory evidence of departure—normally the surrendered Form I-94 but occasionally Form I-424 or other evidence—is received at the port of entry, the facts of departure shall be posted to the copy of the Form I-94 on file at the port of entry. Thereafter, such evidence of departure shall be forwarded to the Central Office in cases where a triplicate of such form was forwarded to the Central Office. If a departing alien surrenders a Form 257a and a subsequently issued Form I-94, the surrendered Form 257a shall be attached to the surrendered Form I-94 and

the Form I-94 routed in the usual way to the port of entry shown thereon.

CROSS REFERENCE: For issuance of Form I-94 in the cases of students, see Part 125 of this chapter.

5. Section 108.9 (a) is amended to read as follows:

§ 108.9 *Endorsement of passports.* (a) When an alien admitted temporarily to the United States is issued a Form 257a or a Form I-94, the admitting immigrant inspector shall stamp any passport presented by the alien (as the term "passport" is defined in § 176.101 (e) of this chapter) to show the word "Admitted" and the date and place of admission. There shall be inscribed in the passport as a part of such endorsement the visa application number appearing on the Form 257a—if such number does not appear in the passport visa—or the serial number of the Form I-94. Immigrant inspectors shall not endorse passports in cases other than those expressly prescribed by this section and by § 125.12 (b) of this chapter and shall not in any case place their signatures or titles in passports.

6. Section 108.10 is added as follows:

§ 108.10 *Manifest record where claim to United States citizenship questioned.* If a person arriving at any port of entry to the United States by any means of travel claims to be a citizen of the United States and is detained for examination before a board of special inquiry, immigration officers shall prepare a manifest record of such case on Form I-448 in duplicate.

(Sec. 2 (e) 43 Stat. 154, secs. 30, 34, 328 (a) 54 Stat. 673, 674, 1151, 8 U. S. C. 202 (e), 451, 455, 728 (a))

T. B. SHOEMAKER,
Acting Commissioner of
Immigration and Naturalization.

Approved: April 8, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3275; Filed, Apr. 13, 1948;
8:58 a. m.]

Subchapter D—Nationality Regulations

PART 322—GENERAL CLASS OF PERSONS WHO MAY BE NATURALIZED

PART 361—OFFICIAL FORMS

PART 370—PETITION FOR NATURALIZATION

MISCELLANEOUS AMENDMENTS

MARCH 3, 1948.

The following amendments to Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

1. Paragraph (e) of § 322.2 *Procedural requirements* is amended by deleting the first sentence and inserting the following sentences in its stead: "If the petition is to a court operating under section 333 of the Nationality Act of 1940, the petitioner and his witnesses shall be given a preliminary hearing by a designated examiner. Such preliminary hearing should ordinarily be given immediately after the petition is filed. If, how-

ever, in the opinion of the district director or officer in charge the interests of good administration would be better served, the preliminary hearing may be given and the oaths of the petitioner to the petition and of his witnesses administered by such designated examiner before the petition is filed and docketed in the office of the clerk of court. After the preliminary hearing the designated examiner may excuse the witnesses from appearance at the final hearing before the naturalization court if they appear to be qualified."

2. The following paragraph is added to § 361.7:

§ 361.7 *Amendment of forms for petitions for naturalization.* * * *

(h) *Oaths to petition administered by designated examiner.* Where the petition is prepared on Form N-405 and, before it is filed with the clerk of court, the oath of the petitioner to the petition for naturalization and the oath of petitioner's witnesses have been administered by a designated examiner, by striking from the jurat on the reverse thereof the words "in the office of the Clerk of said Court" in the first sentence, by striking the second sentence of the jurat, by striking the word "Clerk" below the first line for signature and inserting the words "Designated Examiner" in lieu thereof, and by striking the second line for signature and inserting immediately below it the following:

I hereby certify that the foregoing petition for naturalization was by the petitioner above named filed in the office of the Clerk of said Court at ----- this ----- day of -----, A. D. 19-----, and that Certificate of Arrival No. ----- from the Immigration and Naturalization Service, showing the lawful entry for permanent residence of such petitioner, together with Declaration of Intention No. ----- of such petitioner, has been by me filed with, attached to, and made a part of this petition on this date.

Clerk.

By -----
Deputy clerk.

Similar amendments shall be made on other forms of petitions for naturalization.

3. Section 370.3 is amended to read as follows:

§ 370.3 *Petition to be filed in the office of the clerk of the court.* Except as provided in Part 376 of this chapter, the petition for naturalization and the duplicate copy thereof shall be filed by the petitioner in person with the clerk of the court exercising jurisdiction or his authorized deputy, and only in the office of said clerk. When the petition has been so filed, the clerk shall furnish to the petitioner on Form N-414 an acknowledgment of the filing of the petition.

4. The first sentence of § 370.4, *Verification of petition for naturalization; proof of residence, good moral character and other requirements*, is amended to read as follows: "Every petition for naturalization, except where the petitioner has been granted special exemption by law from the usual requirements as to residence, shall, before it is filed, be verified by the affidavits of two credible wit-

nesses, citizens of the United States, who shall appear in person before a designated examiner or before the clerk of the court exercising jurisdiction or his authorized deputy (whichever administers the oaths to the petition) and who shall have and aver knowledge of the petitioner at each place of his residence in the State where then residing during the period of at least six months immediately prior to the filing of the petition."

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) as to notice of proposed rule making and delayed effective date are inapplicable for the reason that the rules prescribed by the order pertain to agency procedure.

(Secs. 37 (a) 327, 54 Stat. 675, 1150; 8 U. S. C. 458, 727; 8 CFR 90.1, 12 F.R. 4781)

T. B. SHOEMAKER,
Acting Commissioner of
Immigration and Naturalization.

Approved: April 8, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3274; Filed, Apr. 13, 1948;
8:58 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amtd. 1]

PART 420—MULTIPLE CROP INSURANCE

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 48-3198, appearing on page 1978 of the issue for Tuesday, April 13, 1948, the signature at the end should read "E. D. Berkaw."

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 979—IRISH POTATOES IN EASTERN SOUTH DAKOTA PRODUCTION AREA

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, and Supps., 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4904) a public hearing was held upon a proposed marketing agreement and a proposed marketing order regulating the handling of Irish potatoes grown in the Eastern South Dakota production area. The recommended decision (12 F. R. 5704) was made by the Assistant Administrator, Production and Marketing Administration on August 23, 1947, and the decision (12 F. R. 7200) was made by the Secretary of Agriculture on November 3, 1947.

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979.3 Expenses and assessments.

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AUTHORITY: §§ 979.0 to 979.17, inclusive, issued under 48 Stat. 31; 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 707; 7 U. S. C. 601, et seq.

§ 979.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73rd Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Supps., 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159, 4904) a public hearing was held at Watertown, South Dakota, on June 19-20, 1947, upon a proposed marketing agreement and a proposed order regulating the handling of Irish potatoes grown in Eastern South Dakota production area. Upon the basis of evidence introduced at such hearing, and the record thereof, it is found that:

(1) The terms and provisions of this order prescribe, so far as practicable, such different terms, applicable to different production areas, as are necessary in order to give due recognition to the difference in production and marketing of such Irish potatoes;

(2) This order is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to any subdivision of said production area specified herein would not effectively carry out the declared policy of the act; and

(3) This order and all of the terms and conditions of this order will tend to effectuate the declared policy of the act with respect to Irish potatoes produced in said production area, specified in this order, by establishing and maintaining such orderly marketing conditions therefor as will tend to establish prices to the producers thereof at a level that will give such Irish potatoes a purchasing power, with respect to the articles that the producers thereof buy, equivalent to the purchasing power of such Irish potatoes in the base period, August 1919-July 1929, and by protecting the interest of the consumer by (i) approaching the level of prices which it is declared in the act to be the policy of Congress to establish by a gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumption demand in domestic and foreign markets, and (ii) by authorizing no action which has for its purpose the maintenance of prices to

producers of such Irish potatoes above the level which it is declared in the act to be the policy of Congress to establish.

(b) *Determinations.* It is hereby determined that:

(1) The marketing agreement, upon which the public hearing at Watertown, South Dakota, was held on June 19-20, 1947, has been executed by handlers who handled not less than 50 percent of the commodity covered by this order, and

(2) The issuance of this order is favored and approved by producers of Irish potatoes who, during the determined representative period (July 1, 1946 to June 30, 1947, both dates inclusive) produced for market within the production area at least two-thirds of the Irish potatoes produced for market within such area.

Order relative to handling. It is, therefore, ordered, pursuant to the findings and determinations set forth in § 979.0 hereof and pursuant to the aforesaid act, that such handling of Irish potatoes produced in the counties of Codington, Clark, Hamlin, Deuel, Brown, Day, and Kingsbury in the State of South Dakota, as is in the current of commerce between any of said counties and any point outside the State of South Dakota, or so as directly to burden, obstruct, or affect such commerce, shall, from and after the time hereinafter specified, be in conformity to and in compliance with the terms and conditions of this order.

§ 979.1 *Definitions.* As used herein, the following terms have the indicated meaning:

(a) "Secretary" means the Secretary of Agriculture of the United States or any other officer or member of the United States Department of Agriculture, who is or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(b) "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937 as amended. (50 Stat. 246; 7 U. S. C. 601 et seq.)

(c) "Persons" means an individual, partnership, corporation, association, legal representative, or any organized group or business unit of individuals.

(d) "Production area" means the counties of Codington, Clark, Hamlin, Deuel, Brown, Day and Kingsbury in the State of South Dakota.

(e) "Potatoes" means all varieties of Irish potatoes grown in the production area.

(f) "Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes in fresh form, whether of his own production or other.

(g) "Ship" or "handle" means to transport, sell, or in any other manner place potatoes in the current of interstate commerce or so as directly to burden, obstruct, or affect such commerce.

(h) "Producer" means any person engaged in the production of potatoes for market.

(i) "Fiscal year" means the period beginning, on July 1 of each year and ending June 30 of the following year.

(j) "Committee" means the South Dakota Potato Committee established pursuant to section 2 hereof.

(k) "Varieties" means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.

(l) "Seed potatoes" means and includes all potatoes officially certified and tagged, marked, or otherwise appropriately identified, by the State of South Dakota Seed Certification Board or its legal successors.

(m) "Table stock potatoes" means and includes all potatoes not included within the definition of "seed potatoes."

§ 979.2 *Administrative body*—(a) *Establishment and membership.* A South Dakota Potato Committee, consisting of seven producer members, is hereby established. For each member of the committee, there shall be an alternate member, who shall have the same qualifications as the member.

(b) *Initial committee.* The initial members and alternates of the committee shall be selected by the Secretary for a term of office ending on June 30, 1948, and until their successors are selected and qualified. Such members and alternates may be selected by the Secretary from lists of nominees supplied by producer groups or associations operating in and representative of producers in the production area.

(c) *Term of office.* The term of office of members and alternates of the Committee shall begin on the first day of July or the date of qualification, whichever is later, and continue until the end of the then current fiscal year and until their successors are selected and have qualified.

(d) *Nominations.* Except for initial members and alternates of the committee, nominations for membership may be determined by:

(1) *Assembled meetings.* Elections may be conducted in assembled meetings of producers in each district to determine nominees for such district. Such election shall be conducted under the supervision of a chairman and a secretary designated by the committee in accordance with the provisions of Roberts' Rules of Order; or

(2) *Mail voting.* Election of nominees may be effected by the producers of each district by written ballot forwarded or presented to the teller designated by the committee. Each ballot form shall have printed thereon the date on which such ballot must be in the hands of the teller to be counted and ballots received after such date shall not be counted. Ballots not presented to the teller in person by the voter must be enclosed in an envelope with the voter's name and address indicated thereon. The notice of election attached to such ballot form may contain a list or lists of candidates sponsored for election by a group or groups of producers.

The committee shall determine the most desirable and convenient method, aforesaid, of electing nominees for each district, thereafter appointing indicated officials to conduct such elections. Such committee determinations shall be con-

veyed to interested producers by means of newspaper stories, mail, or such other means of communication deemed adequate by the committee. Nominees shall be elected, through use of forms provided by the committee, by June 10th of each year and lists thereof certified by appropriate election officials (either chairman and secretary or teller depending on the method of election) shall be forwarded via the committee to the Secretary by June 15th of each year.

(e) *Voting.* Each producer shall be eligible to cast one vote for each of the designated number of nominees in the district in which he qualifies as such producer, which vote can not be cumulated for any one nominee. A producer qualifying thereas in more than one district shall elect the district in which he chooses to exercise his voting rights.

(f) *Districts.* The production area is divided into four districts, identified, described and with nominee representation as follows:

District Number Description, and Nominees

1. Codrington and Deuel Counties:

- 4 for members.
- 4 for alternates.

2. Clark County:

- 6 for members.
- 6 for alternates.

3. Hamlin and Kingsbury Counties:

- 2 for members.
- 2 for alternates.

4. Brown and Day Counties:

- 2 for members.
- 2 for alternates.

(g) *Selection and qualification of members.* Except for the initial committee, the Secretary shall select two members and two alternates from nominees submitted from District No. 1, three members and three alternates from the nominees submitted by District No. 2, and one member and one alternate from the nominees submitted by each of the remaining Districts. If nominations are not supplied to the Secretary within the time and in the manner specified in paragraph (d) of this section, the Secretary may, without regard to nominations, select the members and alternates of the committee, which selection shall be on the basis of the representation provided herein. Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

(h) *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate member, a successor for his unexpired term may be selected by the Secretary. Such selections, if made, shall be on the basis of substitute representation for the producers of the District involved.

(i) *Obligations.* Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds, together with all books and records, in his possession, to his successor in office or to a trustee designated by the

Secretary and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or trustee full title to all of the property, funds, and claims vested in such member pursuant hereto: *Provided*, That the provisions hereof shall apply to alternate members in possession of funds, property, books or records, or participating in the receipt or disbursement of funds.

(j) *Alternate members.* An alternate member of the committee shall act in the place and stead of the member for whom he is alternate during such member's absence. In the event of death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

(k) *Procedure.* (1) Four members of the committee shall constitute a quorum, and any action of the committee shall require four concurring votes.

(2) The committee may provide for meeting by telephone, telegraph, or other means of communication, and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided*, That if an assembled meeting is held all votes shall be cast in person: *Provided, further* That the committee shall hold an annual assembled meeting during the last two weeks of March in each year, the exact time, place and date to be determined by the committee.

(l) *Members expenses and compensation.* The members of the committee and their respective alternates when acting as members, may be reimbursed for expenses necessarily incurred by them in performance of their duties and in the exercise of their powers hereunder, and shall receive compensation at a rate to be determined by the committee, which rate shall not exceed \$5.00 for each day or portion thereof, spent in attendance at meetings of the committee.

(m) *Powers.* The committee shall have the following powers:

(1) To administer the provisions hereof in accordance with its terms.

(2) To make rules and regulations to effectuate the terms and provisions hereof.

(3) To receive, investigate, and report to the Secretary complaints of violations of the provisions hereof.

(4) To recommend to the Secretary amendments hereto.

(n) *Duties.* It shall be the duty of the committee:

(1) To act as intermediary between the Secretary and any producer or handler.

(2) To keep minutes, books and records which clearly reflect all of the acts and transactions of the committee and such minutes, books and records shall be subject to examination at any time by the Secretary.

(3) To investigate the growing, shipping and marketing conditions with respect to potatoes and to assemble data in connection therewith.

(4) To furnish to the Secretary such available information as he may request.

(5) To select a chairman and such other officers as may be necessary, and to adopt such rules and regulations for

conduct of its business as it may deem advisable.

(6) At the beginning of each fiscal year, to submit to the Secretary a budget of its expenses for such fiscal year, together with a report thereon.

(7) To cause the books of the committee to be audited by a competent accountant at least once each fiscal year, and at such other times as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant hereto, and a copy of each such report shall be furnished to the Secretary.

(8) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the salaries and define the duties of each such person.

(9) To confer with other Marketing Agreement and Order Committees in other States and areas.

§ 979.3 Expenses and assessments—

(a) *Expenses.* The committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out the functions of the committee pursuant to the provisions hereof during each fiscal year. The funds to cover such expenses shall be acquired by levying assessments as hereinafter provided.

(b) *Assessment.* (1) Each handler who first handles potatoes which are regulated, shall, with respect to the potatoes so handled by him, pay to the committee such handler's pro rata share of the expenses which the Secretary finds will be necessarily incurred by the committee for its maintenance and functioning during each fiscal year. Such assessment share shall be due and payable when the committee bills the handler therefor. Such handler's pro rata share of such expenses shall be equal to the ratio between the total quantity of potatoes handled by him as the first handler thereof, during the applicable fiscal year, and the total quantity of potatoes handled by all handlers, as the first handlers thereof during the same fiscal year. The Secretary shall fix the rate of assessment to be paid by such handlers.

(2) At any time during or after a fiscal year, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expense of the committee. Such increase shall be applicable to all potatoes handled during the given fiscal year. In order to provide funds to carry out the functions of the committee, handlers may make advance payment of assessments.

(c) *Accounting.* (1) If, at the end of a fiscal year, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal year, unless he demands payment thereof, in which event such sums shall be paid to him.

(2) The committee may, with the approval of the Secretary, maintain in its own name, or in the name of its members, a suit against any handler for the col-

lection of such handler's pro rata share of the expenses of the committee.

§ 979.4 *Regulation*—(a) *Marketing policy*. At the beginning of each fiscal year, the committee shall prepare and submit to the Secretary a report setting forth its proposed policy for the marketing of potatoes during such fiscal year. In the event it becomes advisable to deviate from such marketing policy, because of changed demand and supply conditions, the committee shall formulate a new marketing policy and shall submit a report thereon to the Secretary. The committee shall notify producers and handlers of the contents of such reports.

(b) *Recommendations for regulations*.

(1) It shall be the duty of the committee to investigate the supply and demand conditions for grade, size and quality of potatoes of all varieties. Whenever the committee finds that such conditions make it advisable to regulate the shipment of particular grade, size and quality of potatoes of any or all varieties during any period, it shall recommend to the Secretary the particular grade, size and quality of any or all varieties thereof deemed advisable to be shipped during such period.

(2) In determining the grade, size, and quality of potatoes of all varieties deemed advisable to be regulated in view of the prospective demand therefor, the committee shall give due consideration to the following factors: (i) Market prices, including prices by grade, size and quality of potatoes of all varieties for which regulation is recommended; (ii) potatoes on hand in the market, areas as manifested by supplies en route and on track at the principal markets; (iii) available supply, quality, and condition of potatoes in the production area; (iv) supplies from competitive areas and regions producing potatoes; (v) the trend and level of consumer income, and (vi) other relevant factors.

(c) *Issuance of regulations*. Whenever the Secretary shall find, from the recommendations and information submitted by the committee, or from other available information, that to limit the shipment of potatoes to particular grade, size and quality of any or all varieties thereof would tend to effectuate the declared policy of the act, he shall so limit the shipments of potatoes during a specified period. Any specific regulation may be made applicable to any variety or varieties of potatoes, different regulations may be applied in any fiscal year to different varieties, and different regulations may be applied in any fiscal year to table stock potatoes, on the one hand, and to seed potatoes on the other hand. One or more varieties of either table stock or seed potatoes may be regulated in any fiscal year without regulation of the remaining varieties. The Secretary shall notify the committee of any such regulation and the committee shall give reasonable notice thereof to handlers.

(d) *Inspection and certification*. During any period in which the Secretary has regulated the shipment of potatoes pursuant to this section, each handler shall, prior to making each shipment of potatoes, cause each shipment to be inspected by an authorized representative

of the Federal-State Inspection Service. Promptly thereafter, each handler shall submit to the committee a copy of the inspection certificate issued thereon.

(e) *Exemptions*. (1) The committee shall adopt and announce, subject to the approval of the Secretary, the procedural rules pursuant to which certificates of exemption will be issued to producers.

(2) The committee shall issue certificates of exemption to any producer who furnishes adequate evidence to the said committee that by reason of a regulation issued pursuant to this section he will be prevented from having as large a proportion of potatoes shipped during the remainder of the shipping season, as the average of all producers. Such certificates of exemption shall grant an opportunity for such producer to have as large a proportion of his potatoes shipped as the average of all producers.

(3) If any producer is dissatisfied with the certificate of exemption granted or denied to him pursuant to an application, said producer may file an appeal with the committee. Such an appeal must be taken promptly after the issuance of the certificate of exemption or denial from which the appeal is taken. Any producer filing an appeal shall furnish evidence satisfactory to the committee for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the certificate of exemption to be granted or the denial thereof. The committee shall notify the appellant of the final determination and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determination.

(4) The Secretary shall have the right to modify, change, alter, or rescind any procedural rules and any exemptions granted or denied pursuant to this section.

(5) Records shall be maintained by the committee and a weekly report furnished to the Secretary showing the applications for exemptions received, exemptions granted, exemptions denied, and shipments made under exemptions.

§ 979.5 *Regulation of surplus*—(a) *Recommendation*. It shall be the duty of the committee to investigate supply and demand conditions of potatoes. Whenever the committee finds that a surplus of potatoes exists, it shall determine the extent of such surplus of potatoes or of any grade, size or quality thereof. If it is deemed advisable, the committee shall recommend the control and disposition of surplus potatoes and plans for equalizing the burden of surplus elimination or control among the producers and handlers thereof under uniform rules established by the committee and approved by the Secretary.

(b) *Issuance of regulations*. (1) Whenever the Secretary finds from the recommendations and information submitted by the committee, or from other available information, that the control and disposition of surplus potatoes will tend to effectuate the declared policy of the act, he shall control and dispose of such surplus potatoes and shall further provide for equalizing the burden of such

surplus elimination or control among producers and handlers thereof. Such control and disposition, in any fiscal year, may be applied, where the facts so warrant, either to table stock or to seed potatoes, or both: *Provided*, That different controls and dispositions may be utilized, in any fiscal year, for table stock potatoes, on the one hand, and seed potatoes, on the other hand, and for the various varieties of table stock and seed potatoes.

(2) At any time during which the Secretary provides for the control and disposition of surplus potatoes, the committee is authorized to enter into contracts or agreements with any person, agency, or organization, for the purpose of facilitating the disposal of surplus potatoes. The Secretary may designate the committee as an agency to assist in and to effectuate the elimination or control of surplus potatoes under any governmental program.

§ 979.6 *Limitation of regulations*.

Nothing contained herein shall authorize any limitation of the shipment of potatoes for any of the following purposes: (a) Potatoes shipped for consumption by charitable institutions or for distribution by relief agencies; (b) potatoes shipped for manufacturing or conversion into byproducts, except for manufacturing or conversion into specified products recommended by the committee for regulation and approved by the Secretary therefor; (c) potatoes shipped by the producer thereof from the point or place of production to the nearest customary grading, storing, or loading point for the purpose of having said potatoes graded, stored, or loaded for shipment; and (d) upon recommendation of the committee and approval of the Secretary, potatoes shipped for livestock feed or for other specified purposes. The Secretary shall give prompt notice to the committee of any approval issued by him under the provisions of this section. The committee may prescribe adequate safeguards to prevent potatoes shipped for the purposes stated above from entering the current of interstate commerce or directly burdening, obstructing, or affecting such commerce contrary to the provisions hereof, which safeguards shall include Federal-State inspection provided by § 979.4 (d) and the payment of a pro rata share of expenses provided by § 979.3 hereof; *Provided*, That such inspection and payment of expenses may be required at different times than otherwise specified by the aforesaid sections. The committee shall issue Certificates of Privilege for shipment of potatoes effected or to be effected under the provisions of this section and shall make a weekly report to the Secretary showing the number of certificates applied for, the number of bushels of potatoes covered by such applications, the number of certificates denied and granted, the number of bushels of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary. The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

§ 979.7 *Reports.* Upon the request of the committee, every handler shall furnish to the committee, in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its powers and perform its duties hereunder. The Secretary shall have the right to modify, change, or rescind requests for any reports pursuant to this section.

§ 979.8 *Compliance.* Except as provided herein, no handler shall ship potatoes, the shipment of which has been prohibited by the Secretary in accordance with provisions hereof, and no handler shall ship potatoes except in conformity to the provisions hereof.

§ 979.9 *Right of the Secretary.* The members of the committee (including successors and alternates) and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 979.10 *Effective time and termination—(a) Effective time.* The provisions hereof shall become effective at such time as the Secretary may declare above his signature attached hereto, and shall continue in force until terminated in one of the ways hereinafter specified.

(b) *Termination.* (1) The Secretary may, at any time, terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(2) The Secretary may terminate or suspend the operations of any or all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(3) The Secretary shall terminate the provisions hereof at the end of any fiscal year whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal year, have been engaged in the production for market of potatoes; *Provided*, That such majority has, during such year, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effected only if announced on or before June 30 of the then current fiscal year.

(4) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

(c) *Proceedings after termination.* (1) Upon the termination of the provisions hereof, the then functioning members of the committee shall continue as trustees, for the purpose of liquidating the affairs of the committee, of all funds

and the property then in the possession of, or under control of the committee, including claims for any funds unpaid, or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(2) The said trustees shall continue in such capacity until discharged by the Secretary shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.

(3) Any person to whom funds, property, or claims have been transferred, or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 979.11 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination hereof, or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen, or which may thereafter arise in connection with any provision hereof, or any regulation issued hereunder, or (b) release or extinguish any violation hereof, or of any regulation issued hereunder, or (c) affect or impair any rights or remedies of the Secretary, or of any other persons with respect to any such violation.

§ 979.12 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue hereof shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

§ 979.13 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 979.14 *Derogation.* Nothing contained herein is, or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 979.15 *Personal liability.* No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever to any handler or to any

person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 979.16 *Separability.* If any provision hereof is declared invalid, or the applicability thereof to any persons, circumstances, or thing is held invalid, the validity of the remainder hereof, or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 979.17 *Amendments.* Amendments hereto may be proposed from time to time, by the committee or by the Secretary.

Issued at Washington, D. C., this 8th day of April 1948, to be effective on and subsequent to 12:01 a. m., e. s. t., May 15, 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-3246; Filed, April, 13, 1948;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51894]

PART 16—LIQUIDATION OF DUTIES

COUNTERVAILING DUTY ON CHICORY FROM THE NETHERLANDS

The Bureau has received from the Department of State official information indicating that after the liberation of the Netherlands in 1944-1945 no bounties or grants have been paid or bestowed on dried chicory or any other kind of chicory exported from that country to the United States or any other country.

In view of the above-mentioned information T. D. 49741 of November 7, 1938, issued under the authority of section 303, Tariff Act of 1930 (19 U. S. C. 1303), imposing countervailing duties on chicory imported from the Netherlands is hereby modified so as not to apply to such merchandise if exported from that country on or after May 8, 1945.

Section 16.24 (a) Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.24 (a)), is hereby amended by adding the number of this decision beneath the number "49741" opposite "Netherlands" in the column headed "Treasury Decision" and by adding opposite the number of this decision in the column headed "Action" the following language: "Modifies T. D. 49741 so as not to apply to exports from the Netherlands on and after May 8, 1945."

(R. S. 251, secs. 303, 624, 46 Stat. 687, 750;
19 U. S. C. 66, 1303, 1624)

[SEAL] W. R. JOHNSON,
Acting Commissioner of Customs.

Approved: April 8, 1948.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-3283; Filed, Apr. 13, 1948;
8:58 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration (Old-Age and Survivors Insurance), Federal Security Agency

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

FILING PROCEDURES

Regulations No. 3, as amended (12 F. R. 570, as amended) are further amended as follows:

1. Section 403.701 is amended by amending paragraph (a) so as to read:

§ 403.701 *Filing of applications and other forms*—(a) *Prescribed application forms.* Applications for benefits and lump sums shall be made as provided in the regulations in this subpart. Application shall be made on such forms and in accordance with such instructions (printed thereon or attached thereto) as are prescribed by the Commissioner. The prescribed forms may be obtained from any office of the Bureau and from any office maintained outside the United States by the United States Foreign Service. See § 403.701 (k) for provisions regarding Bureau records of oral or written requests for benefits as applications.

2. Section 403.701 is further amended by amending paragraph (e) to read as follows:

(e) *Place of filing applications.* Applications for benefits and lump sum shall be filed (in person, by mail, or otherwise) at an office of the Bureau, or with an employee of the Administration who has been duly authorized to receive such applications at a place other than such an office; or, in cases of applicants who are not residing in the United States, such applications may be filed at an office maintained outside the United States by the United States Foreign Service.

3. Section 403.701 is further amended by amending the first sentence of paragraph (f) (2) so as to read:

(f) *Time of filing applications for benefits.* * * *

(2) Except as otherwise provided herein, an application is considered to have been filed as of the date the application is received at an office of the Bureau or by an employee of the Administration authorized to receive it or, in cases of applicants who are not residing in the United States, at an office maintained outside the United States by the United States Foreign Service.

4. Section 403.701 is further amended by amending the first paragraph of paragraph (f) (2) (iii) so as to read:

(f) *Time of filing applications for benefits.* * * *
(2) * * *

(iii) If the application is for primary insurance benefits or for recomputation of such benefits, in the case of a living wage earner (see § 403.304), and it is de-

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livered to an office of the Bureau or to an employee of the Administration authorized to accept delivery thereof, or, in cases of applicants who are not residing in the United States, to an office maintained outside the United States by the United States Foreign Service, not more than three months before the first month for which the applicant becomes entitled, as of the date, not later than the third month following the month of delivery, which will result in entitlement to the greatest primary insurance benefits, and which will not cause the loss of benefits for any month.

5. Section 403.701 is further amended by amending paragraph (h) so as to read:

(h) *Execution and filing of requests and notices.* Except as otherwise provided in the regulations in this part, any request for a determination or decision relating to a person's right to benefits or a lump sum, or relating to the revision of wage records, or any notice, provided for by the regulations in this part, shall be in writing and shall be signed by the person authorized to execute an application under paragraph (c) of this section. Such requests and notices shall be filed at an office of the Bureau or with an employee of the Administration who is authorized to receive them, or, in cases of persons who are not residing in the United States, they may be filed at an office maintained outside the United States by the United States Foreign Service.

6. Section 403.702 is amended by amending the undesignated paragraph immediately preceding paragraph (a) so as to read:

§ 403.702 *Supporting evidence as to right to receive benefits and lump sums.* * * *

Evidence in support of an application shall be filed at an office of the Bureau or with an employee of the Administration authorized to receive such evidence, or, in cases of persons who are not residing in the United States, it may be filed at an office maintained outside the United States by the United States Foreign Service. Such evidence may be submitted as part of the application form, if the form provides for its inclusion, or it may be submitted in addition to such form and in the manner indicated by the regulations in this part.

(Sec. 1102, 49 Stat. 647, sec. 205 (a), 53 Stat. 1368; 42 U. S. C. 405 (a), 1302; sec. 4, Reorg. Plan. No. 2 of 1946, 60 Stat. 1095)

Dated: April 1, 1948.

[SEAL] A. J. ALTMAYER,
Commissioner for Social Security.

Approved: April 8, 1948.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 48-3245; Filed, Apr. 13, 1948; 8:57 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 811, Amdt. 2]

PART 95—CAR SERVICE

RESTRICTIONS ON USE OF COAL-BURNING FREIGHT LOCOMOTIVES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April A. D. 1948.

Upon further consideration of Service Order No. 811 (13 F. R. 1648), as amended (13 F. R. 1830), and good cause appearing therefor: It is ordered, That:

Section 95.811 *Restrictions on use of coal-burning freight locomotives*, be, and it is hereby further amended by substituting the following paragraph (a) for paragraph (a) thereof:

(a) *Reduction in locomotive mileage.* No common carrier by railroad subject to the Interstate Commerce Act shall operate a total daily coal-burning freight service locomotive mileage in road haul service in excess of fifty (50) percent of the total coal-burning freight locomotive mileage operated by it in road haul service during an average day in the test period prescribed in paragraph (b) of this section, except that the use of coal-burning freight locomotives in the transportation of coal or the movement of empty coal cars en route to mines for coal loading may be operated in addition to the reduction above ordered.

It is further ordered, That this amendment shall become effective at 11:59 p. m., April 15, 1948; that a copy of this order shall be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3250; Filed, Apr. 13, 1948; 8:57 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 69, Amdt. 1]

PART 500—CONSERVATION OF RAIL EQUIPMENT

RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive

Order 8989, as amended, Executive Order 9729, as amended, and Executive Order 9919,

It is hereby ordered, That paragraph (a) of § 500.115 of General Order ODT 69 (13 F. R. 1481) be, and it hereby is, amended to read as follows:

§ 500.115 *Restrictions on certain passenger and special train operations.* (a) No common carrier by railroad engaged in the transportation of passengers within the continental United States shall (1) during the period beginning at 11:59 o'clock p. m. March 21, 1948, and ending at 11:59 o'clock p. m. April 15, 1948, operate a total daily coal-burning passenger service locomotive mileage in excess

of 75 percent of the total coal-burning passenger service locomotive mileage operated by it on March 1, 1948; and (2) on and after 11:59 o'clock p. m. April 15, 1948, and until further order of the Office of Defense Transportation, operate a total daily coal-burning passenger service locomotive mileage in excess of 50 percent of the total coal-burning passenger service locomotive mileage operated by it on March 1, 1948; nor shall any such common carrier by railroad offset the reduction in coal-burning passenger service locomotive mileage herein ordered by using other than coal-burning locomotives in the operation of passenger train service performed with coal-burning locomotives on March 1, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725, E. O. 9389, Oct. 18, 1943, 8 F. R. 14183, E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 8th day of April 1948.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 48-3239; Filed, Apr. 13, 1948; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Parts 8, 13]

[Docket No. 8913]

SHIP SERVICE AND COMMERCIAL RADIO OPERATORS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Parts 8 and 13 of the Commission's rules and regulations governing the ship service and commercial radio operators, respectively.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. On December 10, 1947, new rules for licensing ship radar stations on a regular basis in the Ship Service became effective. These rules made no provision with respect to radio operator license requirements. The Commission therefore adopted, effective December 15, 1947, temporary rules which, in substance, waived the statutory radio operator license requirement of section 318 of the Communications Act of 1934, as amended, so far as concerns the normal operation of these stations, but retained the requirement with respect to the servicing and maintenance of such stations, and authorized first and second class operators, radiotelephone or radiotelegraph, to perform such servicing and maintenance. Pursuant to an order adopted by the Commission on March 12, 1948, these temporary rules are in effect until further order of the Commission, but in no event beyond the effective date of permanent rules adopted by the Commission on this subject, or June 15, 1948, whichever is earlier.

3. The Commission has considered the problem of permanent rules governing the licensed radio operator requirement for ship radar stations licensed in the Ship Service. After such consideration, the Commission has concluded as follows:

(a) The requirement of section 318 of the act for licensed radio operators should be waived with regard to these stations to the limited extent indicated by the following provisions:

(1) The waiver would apply only in relation to radar equipment capable of being normally operated in accordance with the radio law and the rules and regulations of the Commission by means of exclusively external controls.

(2) In accordance with (1) above, the waiver would permit normal operations to be performed by only certain unlicensed persons. These persons would include exclusively the master of the radar-equipped ship and such one or more other persons responsible to him whom he authorized to perform such operations.

(3) All adjustments or tests during or coincident with the installation, servicing, and maintenance of the equipment while it is radiating energy must be performed by or under the immediate supervision and responsibility of persons holding first or second class radio operator licenses, either radiotelephone or radiotelegraph; for the purpose of assuring compliance with the radio law and the rules and regulations of the Commission and the avoidance and prevention of harmful interference from improper external effects.

(b) The rules governing ship radar stations licensed in the Ship Service should be amended to provide that any such license issued will be subject to the condition that the station licensee, in relation to the proper operation of the station in accordance with the radio law and the rules and regulations of the Commission, will be represented on board the radar-equipped vessel by the person who at any given time occupies the position of master.

(c) Although the rules now in force or herein proposed are directed primarily to dealing with external effects and the avoidance and prevention of harmful interference, the Commission will continue to give consideration to the related matter of providing proper engineering standards and operator rules and procedure directed toward assuring the accomplishment of the safety and navigation purposes for which such stations are intended.

4. Proposed amendments of the rules to implement the foregoing conclusions are set forth below.

5. Authority for the amendments proposed herein is contained in sections 303 (f) (g) (l), (r) and 318 of the Communications Act of 1934, as amended.

6. Any interested person who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth may file with the Commission on or before May 10, 1948, a written statement or brief setting forth his comments. The Commission will consider these written comments before taking any final action with respect to the proposed form and if comments are submitted which appear to warrant the Commission's holding an oral argument, notice of time and place of such oral argument will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: March 31, 1948.

Released: April 5, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Proposed amendments to Part 8 of the Commission's rules governing ship service and to Part 13 governing commercial radio operators are as follows:

1. Section 8.195 of Part 8 is amended by adding thereto a new paragraph reading as follows:

(c) *Radio operator requirements.* (1) Until the Commission shall otherwise provide by order or rule, no radio operator license is required for the normal operation on board ship of ship radar stations licensed in the Ship Service: *Provided, That the following conditions are met or provided for by the licensee of the station.*

(i) The radar equipment shall be capable of being normally operated in accordance with the radio law and the rules and regulations of the Commission by means of exclusively external controls, and

(ii) Normal operations in accordance with subdivision (i) of this subparagraph must be performed exclusively by the

master of the radar-equipped ship or by one or more other persons responsible to him and authorized by him to do so.

(2) Until the Commission shall otherwise provide by order or rule, all adjustments or tests during or coincident with the installation, servicing, or maintenance of the equipment while it is radiating energy must be performed by or under the immediate supervision and responsibility of licensed first or second class radio operators, radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the equipment in accordance with the radio law and the Commission's rules and regulations and for the avoidance and prevention of harmful interference from improper transmitter external effects.

2. Section 8.195 (b) of Part 8 is amended to read as follows:

(b) *Application for license and condition of issuing license.* (1) Applications for ship radar station licenses shall be made in accordance with the provisions of Part 1 of the Commission's rules and regulations.

(2) Any license issued shall be subject to the condition that the station licensee, in relation to the proper operation of the station in accordance with the radio law and rules and regulations of the Commission, will be represented on board the radar-equipped vessel by the person who at any given time occupies the position of master.

3. Section 13.1 of Part 13 is amended by inserting a footnote designated as "1c" to read as follows:

"By § 8.195 (o) of the rules governing Ship Service the Commission has provided that, until the Commission shall otherwise provide by order or rule, no radio operator

license is required for the normal operation on board ship of ship radar stations licensed in the Ship Service; *Provided*, That certain conditions therein specified are met or provided for by the licensee of the station. See § 8.195 (o) of this chapter.

4. Section 13.61 of Part 13 is amended by inserting footnote "9a" immediately after the colon in the first paragraph of this section to read as follows:

"By § 8.195 (o) of the rules governing Ship Service the Commission has provided that, until the Commission shall otherwise provide by order or rule, the holders of first or second class radio operator licenses, either radiotelephone or radiotelegraph, shall have authority to perform all adjustments or tests during or coincident with the installation, servicing, or maintenance of ship radar stations licensed in the Ship Service while such stations are radiating energy. See § 8.195 (o) of this chapter.

[F. R. Doc. 48-3263; Filed, Apr. 13, 1948; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 128, WYOMING NO. 13, MODIFIED

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315 f) and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (43 U. S. C. 300) it is ordered as follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 128, Wyoming No. 13:

SIXTH PRINCIPAL MERIDIAN

T. 36 N., R. 87 W., Sec. 24, E $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described contains 80 acres.

The land has been acquired through an exchange under the provisions of section 8 of the act of June 28, 1934, supra. Title to all minerals has been retained by the applicant.

The order of the First Assistant Secretary of the Interior of December 15, 1925, adding certain lands to Stock Driveway Withdrawal No. 128, Wyoming No. 13, is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 36 N., R. 87 W.,
Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 120 acres.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

APRIL 7, 1948.

[F. R. Doc. 48-3235; Filed, Apr. 13, 1948; 8:50 a. m.]

WYOMING

NOTICE FOR FILING OBJECTIONS TO INCLUSION OF CERTAIN LANDS IN STOCK DRIVEWAY WITHDRAWAL NO. 128, WYOMING NO. 13

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the order of the Assistant Secretary of the Interior dated April 7, 1948, so far as that order adds the E $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 24, T. 36 N., R. 87 W., 6th P. M., Wyoming to Stock Driveway Withdrawal No. 128, Wyoming No. 13, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

APRIL 7, 1948.

[F. R. Doc. 48-3236; Filed Apr. 13, 1948; 8:50 a. m.]

[16608]

ARIZONA

ORDER OPENING LANDS TO MINERAL LOCATION, ENTRY AND PATENTING

Under authority and pursuant to the provisions of the Act of April 23, 1932 (47 Stat. 136, 43 U. S. C. 154), and the

regulations thereunder, and subject to valid existing rights, it is hereby ordered that the W $\frac{1}{2}$, SE $\frac{1}{4}$ sec. 14, lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ sec. 15, T. 3 N., R. 22 W., G. & S. R. M., Arizona, be, and the same are hereby opened to location, entry and patenting under the United States mining laws.

This order shall not become effective to change the status of the lands until 10:00 a. m. on June 9, 1948, at which time the lands shall, subject to valid existing rights and the provisions of existing withdrawals and of this order, become subject to disposition under the United States mining laws only, as above provided.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

APRIL 7, 1948.

[F. R. Doc. 48-3237; Filed, Apr. 13, 1948; 8:50 a. m.]

[3636]

ARIZONA

ORDER OPENING LANDS TO MINING LOCATION, ENTRY AND PATENTING

Under authority and pursuant to the provisions of the act of April 23, 1932 (47 Stat. 136, 43 U. S. C. 154) and the regulations thereunder, and subject to (1) valid existing rights, and (2) the terms of the following quoted stipulations, it is hereby ordered that all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 34, T. 8 S., R. 23 W., G. & S. R. M., Arizona, lying east of the Southern Pacific Railway Company right of way, be, and the same is hereby opened to location, entry and patenting under the general mining laws, the quoted stipulations to be executed and acknowledged in favor of the United States by the locators, for their heirs, successors and assigns, and recorded in the county records and in the United States District Land Office at Phoenix, Arizona, before locations are made:

NOTICES

There is reserved to the United States, its successors and assigns, the prior right to use any of the lands hereinabove described, to construct, operate and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, and appurtenant irrigation structures, without any payment made by the United States or its successors for such right, with the agreement on the part of the Locators that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands should be made more expensive by reason of the existence of improvements or workings of the Locators thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty days after demand is made upon the Locators for payment of any such sums, the Locators will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone, and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands. The Locators further agree that the United States, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the Locators resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated.

Any location or entry made and any patent issued for the above-described land will be subject to and contain a reference to the above-quoted stipulations and to the volume and page where they are recorded in the county records.

This order shall not become effective to change the status of the land until 10:00 a. m. on June 9, 1948, at which time the land shall, subject to valid existing rights and the provisions of existing withdrawals and of this order, become subject to disposition under the United States mining laws only, as above provided.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

APRIL 7, 1948.

[F. R. Doc. 48-3238; Filed, Apr. 13, 1948;
8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-168]

ACCIDENT AT MOUNT SANFORD, ALASKA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC-95422 which occurred at Mount Sanford, Alaska, on March 13, 1948.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Friday, April 16, 1948, at 9:00 a. m. (local time) in the Admiral Room, Radisson Hotel, 45 South 7th Street, Minneapolis, Minnesota.

Dated at Washington, D. C., April 8, 1948.

[SEAL]

ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 48-3252; Filed, Apr. 13, 1948;
8:52 a. m.]

[Docket No. 2246 et al.]

CARIBBEAN ATLANTIC AIRLINES, INC., ET AL.,
CARIBBEAN AREA CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Caribbean Atlantic Airlines, Inc., Docket No. 2246; Pan American Airways, Inc., Docket No. 2170; and Chicago and Southern Air Lines, Inc., Docket No. 2684, pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended, for certificates or amendments to certificates of public convenience and necessity authorizing air transportation in the Caribbean area, and the petition of Caribbean Atlantic Airlines, Inc., Docket No. 2526, for the amendment of the certificate of public convenience and necessity of Pan American Airways, Inc., authorizing air transportation between Miami, Florida, and South America or the imposition of restrictions thereon.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said act, that oral argument in the above-entitled matter is assigned to be held on April 22, 1948, at 10:00 a. m. (eastern standard time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., April 9, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3253; Filed, Apr. 13, 1948;
8:52 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 7998, 7999]

JORAMA-FER RADIO CORP. AND CAGUAS
RADIO BROADCASTING, INC.

ORDER CONTINUING HEARING

In re applications of Jorama-Fer Radio Corporation, Caguas, Puerto Rico, Docket No. 7998, File No. BP-5174; Caguas Radio Broadcasting, Incorporated, Caguas, Puerto Rico, Docket No. 7999, File No. BP-5475; for construction permits.

Whereas, the Commission has scheduled a hearing in the above-entitled proceeding for April 9, 1948, at Washington, D. C., and it appearing that the parties to the proceeding have filed waivers of hearing so that public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 2d day of April 1948, that the hearing in the above-entitled proceeding be, and it is hereby, continued

to 10:00 a. m., Thursday, May 13, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3258; Filed, Apr. 13, 1948;
8:46 a. m.]

[Docket Nos. 8083, 8084]

CAPITOL BROADCASTING CO. AND WSWZ,
INC.

ORDER CONTINUING HEARING

In re applications of Capitol Broadcasting Company, Trenton, New Jersey, Docket No. 8083, File No. BP-4832; WSWZ, Incorporated, Trenton, New Jersey, Docket No. 8084, File No. BP-5590; for construction permit.

The Commission having under consideration a joint petition filed March 29, 1948, by Capitol Broadcasting Company, Trenton, New Jersey, and WSWZ, Incorporated, Trenton, New Jersey, requesting a continuance in the hearing presently scheduled for April 5, 1948, at Washington, D. C., upon their above-entitled applications for construction permits;

It is ordered, This 2d day of April 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, April 26, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3255; Filed, Apr. 13, 1948;
8:46 a. m.]

[Docket Nos. 8223, 8495, 8825]

CONCORD BROADCASTING CORP. ET AL.

ORDER CONTINUING HEARING

In re applications of Concord Broadcasting Corporation, Niagara Falls, New York, Docket No. 8223, File No. BP-5825; Erie Broadcasting Corporation, Buffalo, New York, Docket No. 8495, File No. BP-6206; The Niagara Falls Gazette Publishing Company (WHLN) Niagara Falls, New York, Docket No. 8825, File No. BP-3879; for construction permits.

The Commission having under consideration a petition filed March 30, 1948, by Niagara Falls Gazette Publishing Company (WHLN) Niagara Falls, New York, requesting a continuance in the hearing presently scheduled for April 7, 1948, upon its above-entitled application for construction permit and the above-entitled applications of Erie Broadcasting Corporation, Buffalo, New York, and Concord Broadcasting Corporation, Niagara Falls, New York:

It is ordered, This 2d day of April 1948, that the said hearing be, and it is hereby, continued to 10:00 a. m., Monday, May 3, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3259; Filed, Apr. 13, 1948;
8:46 a. m.]

[Docket Nos. 8239, 8240, 8846]

CONNECTICUT ELECTRONICS CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications of The Connecticut Electronics Corporation, Bridgeport, Connecticut, Docket No. 8239, File No. BP-5375; Westco Broadcasting Corporation, White Plains, New York, Docket No. 8240, File No. BP-5899; Huntington-Montauk Broadcasting Company, Incorporated, Huntington, New York, Docket No. 8846, File No. BP-6595; for construction permits.

The Commission having scheduled hearings on the above-entitled applications for April 5, 6 and 7, 1948, at Bridgeport, Connecticut, White Plains, New York, and Huntington, New York, respectively and

It appearing, that the public interest, convenience and necessity would, be served by scheduling a fourth day of hearing at New York, New York, on April 8, 1948;

It is ordered, This 2d day of April 1948, that in addition to the hearings already scheduled on the above-entitled applications, an additional hearing be, and it is hereby, scheduled for 10:00 a. m., Thursday, April 8, 1948, at New York, New York.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3260; Filed, Apr. 13, 1948; 8:46 a. m.]

[Docket No. 8272]

CHICAGO FEDERATION OF LABOR (WCFL)

ORDER CONTINUING HEARING

In re application of Chicago Federation of Labor (WCFL) Chicago, Illinois, Docket No. 8272, File No. BMP-2486; for construction permit.

The Commission having under consideration a petition filed March 30, 1948, by Chicago Federation of Labor (WCFL), Chicago, Illinois, requesting a 30-day continuance of the hearing now scheduled for April 5, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 2d day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Wednesday, May 5, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3256; Filed, Apr. 13, 1948; 8:45 a. m.]

[Docket No. 8391]

ARLINGTON-FAIRFAX BROADCASTING CO., INC. (WEAM)

ORDER CONTINUING HEARING

In re application of Arlington-Fairfax Broadcasting Company, Incorporated

(WEAM), Arlington, Virginia, Docket No. 8391, File No. BP-5975, for construction permit.

The Commission having under consideration a petition filed March 31, 1948, by Arlington-Fairfax Broadcasting Company, Incorporated (WEAM), Arlington, Virginia, requesting a continuance in the hearing presently scheduled for April 8, 1948, on its above-entitled application for construction permit;

It is ordered, This 2d day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby continued to 10:00 a. m., Friday, May 14, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3257; Filed, Apr. 13, 1948; 8:45 a. m.]

[Docket No. 8423]

WINDHAM BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of The Windham Broadcasting Company, Willimantic, Connecticut, Docket No. 8423, File No. BP-5810, for construction permit.

The Commission having under consideration a petition filed March 25, 1948, by The Windham Broadcasting Company, Willimantic, Connecticut, requesting an approximately 60-day continuance of the hearing now scheduled for April 5, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 2d day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, June 4, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3264; Filed, Apr. 13, 1948; 8:47 a. m.]

[Docket No. 8435]

KICKAPOO PRAIRIE BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re application of Kickapoo Prairie Broadcasting Company, Incorporated, Springfield, Missouri, Docket No. 8435, File No. BP-5823, for construction permit.

The Commission having under consideration a petition filed March 26, 1948, by Kickapoo Prairie Broadcasting Company, Incorporated, Springfield, Missouri, requesting an approximately 60-day continuance of the hearing now scheduled for April 5, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 2d day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is

hereby, continued to 10:00 a. m., Friday, June 4, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3265; Filed Apr. 13, 1948; 8:47 a. m.]

[Docket Nos. 8621, 8622, 8760]

TRAVELERS BROADCASTING SERVICE CORP. ET AL.

ORDER CONTINUING HEARING

In re applications of the Travelers Broadcasting Service Corporation, Hartford, Connecticut, Docket No. 8621, File No. BPCT-193; The Connecticut Broadcasting Company, Hartford, Connecticut, Docket No. 8622, File No. BPCT-195; The Hartford Times, Inc., Hartford, Connecticut, Docket No. 8760, File No. BPCT-285; for construction permits for commercial television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of April 1948;

The Commission having under consideration the petition of Yankee Network, Inc., to intervene in the above hearing, to enlarge the issues and to continue the hearing,

It appearing, that the Commission may not have sufficient time before April 19, 1948, the date upon which the hearing in the above-entitled matter is scheduled to begin, to dispose of the petition and oppositions thereto which the parties may file pursuant to the Commission's rules;

It is ordered, That the hearing in the above-entitled matter be continued until May 24, 1948.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3267; Filed, Apr. 13, 1948; 8:47 a. m.]

[Docket No. 8640]

SARKES TARZIAN (W9XHZ)

ORDER CONTINUING HEARING

In re application of Sarkes Tarzian (W9XHZ) Bloomington, Indiana, File No. BREX-52, Docket No. 8640, for renewal of license.

The Commission having under consideration a petition filed April 5, 1948, by Sarkes Tarzian (W9XHZ) Bloomington, Indiana, requesting a continuance to April 28, 1948, of the hearing scheduled on his above-entitled application for renewal of license;

It is ordered, This 6th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Wednesday, April 28, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3254; Filed, Apr. 13, 1948; 8:45 a. m.]

[Docket Nos. 8808-8812]

NEW ENGLAND TELEVISION, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of New England Television, Inc., St. Louis, Missouri, Docket No. 8808, File No. BPCT-277; St. Louis University, St. Louis, Missouri, Docket No. 8809, File No. BPCT-294; Thomas Patrick, Inc., St. Louis, Missouri, Docket No. 8810, File No. BPCT-324; Star Times Publishing Company, St. Louis, Missouri, Docket No. 8811, File No. BPCT-327; Globe Democrat Publishing Company, St. Louis, Missouri, Docket No. 8812, File No. BPCT-330; for construction permits.

Whereas, the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Monday, July 12, 1948, at St. Louis, Missouri.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3261; Filed, Apr. 13, 1948;
8:46 a. m.]

[Docket Nos. 8813-8817, 8824]

BALBOA RADIO CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications for Balboa Radio Corporation, San Diego, California, Docket No. 8813, File No. BPCT-197; McKinnon Publishers, Inc., San Diego, California, Docket No. 8814, File No. BPCT-298; Airfan Radio Corporation, San Diego, California, Docket No. 8815, File No. BPCT-313; Television Broadcasting Company, San Diego, California, Docket No. 8816, File No. BPCT-314; San Diego Broadcasting Company, San Diego, California, Docket No. 8817, File No. BPCT-318; Video Broadcasting Company, San Diego, California, Docket No. 8824, File No. BPCT-341, for construction permits.

Whereas, the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10 a. m., Monday, June 21, 1948, at San Diego, California.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3266; Filed, Apr. 13, 1948;
8:47 a. m.]

[Docket No. 8885]

NORTHERN VIRGINIA BROADCASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Northern Virginia Broadcasters, Inc., Arlington, Virginia,

File No. BMPH-1689, Docket No. 8885; for modification of FM construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 31st day of March 1948;

The Commission having under consideration the above-entitled application for modification of a construction permit for a new Class A FM broadcast station in Arlington, Virginia, to specify Class B instead of Class A facilities;

It appearing, that the above entitled application is mutually exclusive with the applications of Montgomery FM Broadcasting Corporation, Silver Spring, Maryland (BMPH-610, Docket No. 8635) and Potomac Broadcasting Corporation, Alexandria, Virginia (BMPH-781, Docket No. 8636) which applications were heretofore designated for a consolidated hearing and was filed more than 20 days prior to the commencement date of the above mentioned consolidated hearing.

It is ordered, Pursuant to section 309 (a) of the Communications Act of 1934, as amended, that the above-entitled application be, and it is hereby, designated for hearing in consolidation with the hearing on the applications of Montgomery FM Broadcasting Corporation, Silver Spring, Maryland, and Potomac Broadcasting Corporation, Alexandria, Virginia, which hearing is scheduled to be heard on April 5, 1948 in Washington, D. C. upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued on November 21, 1947, in the consolidated proceeding for Dockets No. 8635 and 8636 be, and it is hereby, amended to include the application of Northern Virginia Broadcasters, Inc., Arlington, Virginia (File No. BMPH-1689, Docket No. 8885).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3268; Filed, Apr. 13, 1948;
8:47 a. m.]

[Designation Order 20]

DESIGNATION OF MOTIONS COMMISSIONER FOR APRIL, 1948

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 31st day of March 1948;

It is ordered, Pursuant to § 1.111 of the Commission's rules and regulations, that George E. Sterling, Commissioner, be, and he is hereby, designated as Motions Commissioner for the month of April, 1948.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3269; Filed, Apr. 13, 1948;
8:47 a. m.]

KORC

PUBLIC NOTICE CONCERNING PROPOSED
ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on March 31, 1948 there was filed with it an application (BAL-716) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of KORC, Mineral Wells, Texas from Alfred Achilles Corcanges to Raymond W River and Herman S. Boles, Mineral Wells, Texas. The proposal to assign the license arises out of a contract of March 8, 1948 pursuant to which the former agrees to sell to the latter all the equipment and properties of the station for \$45,000 of which \$15,000 is to be paid on approval of the transfer by the Commission and the remaining \$30,000 is to be evidenced by the promissory installment note of purchasers payable at the rate of \$500 a month beginning 30 days from said approval and bearing 5% interest. The note is to be secured by a chattel mortgage lien upon the properties and assets of the station. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on March 31, 1948 that starting on said date notice of the filing of the application would be inserted in The Daily and Weekly Index, newspapers of general circulation at Mineral Wells, Texas, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from March 31, 1948 within which time others desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3262; Filed, Apr. 13, 1948;
8:46 a. m.]

¹ Section 1.321, Part 1, Rules of Practice and Procedure.

AM STATION WEIM AND WEIM-FM

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE AND CONSTRUCTION PERMIT¹

The Commission hereby gives notice that on March 30, 1948 there was filed with it an application (BAL-717) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of AM station WEIM and construction permit for WEIM-FM, Fitchburg, Massachusetts from Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers to WEIM Fitchburg, Inc., Fitchburg, Massachusetts. The proposal to assign the license arises out of a contract of March 16, 1948 pursuant to which the station and all its physical properties and assets excluding cash on hand and in bank and accounts receivable as of the date of transfer would be sold for a consideration of approximately \$235,000, of which \$200,000 is for existing properties and facilities and the remaining \$35,000 would be for amounts expended and which may be expended prior to the closing date of the agreement by the sellers in connection with the application for an FM station at that place. \$150,000 in cash is to be paid upon the closing date and the balance which is to be paid over a period of three years in equal semi-annual installments is to be evidenced by purchasers' notes bearing 4% interest. To guarantee payment of the \$150,000 buyer has deposited in escrow negotiable securities of the current market value of \$165,000. Sellers agree not to engage in broadcasting within a radius of 10 miles of Fitchburg, Massachusetts, for a period of 5 years from date of transfer. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on March 30, 1948 that starting on April 2, 1948 notice of the filing of the application would be inserted in the Fitchburg Sentinel, a newspaper of general circulation at Fitchburg, Massachusetts, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from April 2, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3270; Filed, Apr. 13, 1948;
8:47 a. m.]

¹Section 1.321, Part 1, Rules of Practice and Procedure.

FEDERAL POWER COMMISSION

[Docket Nos. G-200, G-207, G-880]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

APRIL 9, 1948.

In the matter of Texas Eastern Transmission Corporation, Docket No. G-880, Panhandle Eastern Pipe Line Company, et al., Docket Nos. G-200 and G-207.

The Federal Power Commission issued the following telegraphic direction on April 6, 1948, in the above entitled matters:

Upon assurance from Panhandle Eastern that the gas thus made available to the Panhandle System can be delivered to Michigan Gas Storage Company, Commission has concluded not to extend authorization for emergency deliveries of ten million five hundred thousand cubic feet of natural gas per day by Texas Eastern to United National Gas Company beyond eight a. m. April 7, 1948, as provided by Commission's telegraphic orders of February 11, February 20 and March 8, 1948, in Docket Nos. G-200, G-207 and G-880. Texas Eastern will accordingly resume deliveries of ten million five hundred thousand cubic feet of gas per day to Kentucky Natural and Panhandle will make corresponding reduction in its deliveries to Kentucky Natural.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3247; Filed, Apr. 13, 1948;
8:51 a. m.]

[Project Nos. 175, 1925, 1923, 1930]

FRESNO IRRIGATION DISTRICT ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING HEARING

APRIL 6, 1948.

In the matters of Fresno Irrigation District, Project No. 1925; Pacific Gas and Electric Company, Projects Nos. 175 and 1988; Francis N. Dlouhy, Project No. 1990.

(1) The following applications proposing certain hydroelectric developments in the Kings River basin, California, have been filed with the Commission pursuant to the Federal Power Act. Each of the proposed developments is to be located in Fresno County, California, and would affect lands of the United States within the Sierra and Sequoia National Forests and in addition the projects described in subparagraphs (a) and (b) below would affect public lands of the United States outside National Forest boundaries.

(a) On February 2, 1945, Fresno Irrigation District, of Fresno, California, filed an application for preliminary permit for proposed Project No. 1925 to be located on the North Fork and main channel of Kings River.

(b) On January 19, 1948, Pacific Gas and Electric Company, of San Francisco, California, filed an application for license for Project No. 1988 to be located on Helms Creek, North Fork, and main channel of Kings River.

(c) On February 24, 1943, Francis N. Dlouhy, of Los Angeles, California, filed an application, as supplemented on April 1, 1948, for preliminary permit for proposed Project No. 1990 to be located on the main channel of Kings River between the junction of its South and Middle Forks and the junction of the main channel with the North Fork.

(2) On January 19, 1948, Pacific Gas and Electric Company filed an application for amendment of license for existing Project No. 175 (Balch Plant) located on North Fork of Kings River in Fresno County, California, affecting lands of the United States within the Sierra and Sequoia National Forests. The licensee proposes to enlarge the existing project facilities in order to increase the installed capacity of the project by approximately 120,000 horsepower.

(3) Public notice of the filing of the above-described applications has been given as required by the act. Both Federal and State agencies and others have expressed an interest in or objection to certain phases of the development of the Kings River and tributaries as contemplated by the above-described applications and there are possible conflicts in the various plans of development.

(4) By order issued December 18, 1947, the Commission fixed a date and place for a public hearing upon the application for preliminary permit in the matter of Project No. 1925. By order issued January 9, 1948, this hearing was postponed to a time and place to be fixed later by the Commission.

The Commission finds that it is desirable and in the public interest to consolidate these matters for the purpose of a public hearing and to hold such a hearing respecting the matters involved and the issues presented in these proceedings.

It is ordered, That:

(5) The proceedings in the above-entitled matters are hereby consolidated for the purpose of hearing.

(6) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Commission by the Federal Power Act, particularly sections 4, 6 and 303 thereof, and the Commission's rules of practice and procedure (effective July 1, 1947) a public hearing be held on the 17th day of May, 1948, at 10:00 a. m. (PDST) 2d floor of the Memorial Auditorium, Fresno, California, concerning the matters involved and the issues presented in these proceedings.

(7) As provided in Rule 30 (18 CFR 1.30) of the Commission's rules of practice and procedure the officer hereafter designated to preside at the consolidated hearing shall certify the record of the hearing, including his report thereon, to the Commission for its decision and the presiding officer's report shall constitute a recommended decision.

Date of issuance: April 9, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3243; Filed, Apr. 13, 1948;
8:52 a. m.]

[Docket No. G-1026]
PENNSYLVANIA GAS CO.
NOTICE OF APPLICATION

APRIL 8, 1948.

Notice is hereby given that on March 29, 1948, Pennsylvania Gas Company (Applicant) a Pennsylvania corporation having its principal place of business in the Borough of Warren, Pennsylvania, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain natural gas transmission facilities subject to the jurisdiction of the Commission, described as follows:

Approximately 3½ miles of 10-inch welded pipe line and 5 miles of 8-inch welded pipe line extending from the southerly end of the existing 10-inch pipe line in Elk County, Pennsylvania, tying into the facilities of New York State Natural Gas Corporation in Springcreek Township, Elk County.

Applicant states that the purpose of the proposed facilities is to enable it to receive deliveries of gas from New York State Natural Gas Corporation on or after November 1, 1948 under the terms of a contract dated November 14, 1947. Construction of the proposed pipe line will enable Applicant to procure an additional supply of 5,000 Mcf of gas per day during December, January, February and March, and 4,500 Mcf of gas per day thereafter for the remainder of the year. Applicant states that it needs the additional gas to safeguard the supply of existing customers and to meet increased loads due to normal growth of population and demands for gas on its system.

The estimated total over-all capital cost of the proposed construction is \$160,000 which is to be paid for without recourse to financing outside Applicant's own resources.

Applicant further states that no change in sales of gas to or in connection with other utilities is contemplated. As to gas reserves, Applicant relies solely upon the ability of New York State Natural Gas Corporation to deliver the quantity of gas specified in the agreement, which is attached to the application.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provision of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of Pennsylvania Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall con-

form to the requirements of the rules of practice and procedure (effective September 11, 1946) and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding, so as to advise the parties and the Commission as to the issues of fact or law to be raised or controverted, by admitting, denying, or explaining specifically and in detail, each material allegation of fact or law asserted with respect to the application.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3249; Filed, Apr. 13, 1948;
 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. Q. 790, Special Directive 37A]

CHICAGO, BURLINGTON, & QUINCY
 RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH
 CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7911) and good cause appearing therefor:

It is ordered, That Special Directive No. 37 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., April 7, 1948.

A copy of this special directive shall be served upon the Chicago, Burlington & Quincy Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April A. D. 1948.

INTERSTATE COMMERCE
 COMMISSION,
 HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-3251; Filed, Apr. 13, 1948;
 8:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1802]

UNITED GAS IMPROVEMENT CO. AND
 HARRISBURG GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1948.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Gas Improvement Company ("UGI") a registered holding company, and its gas utility subsidiary, The Harrisburg Gas Company ("Harrisburg")

Applicants-declarants designate sections 6 (b) and 10 of the act and Rules U-43 and U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 29, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 29, 1948, said application-declaration may be granted and permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Harrisburg proposes to issue and sell 13,811 additional shares of its no par common stock, at \$90 per share, realizing proceeds therefrom of \$1,242,990, to be utilized for construction requirements. The shares are to be offered to the existing common stockholders through an offer of the right to subscribe for one such additional share for each 2 shares of common stock held by them. The subscription rights will be transferable only to stockholders of record.

UGI proposes, as the present holder of 18,085 shares of Harrisburg common stock out of 27,622 shares outstanding, to subscribe for the purchase its aliquot portion of the stock to be offered. UGI also proposes to purchase all shares not subscribed for by the other common stockholders, subject to the exception, however, of 1,000 shares of the additional stock which UGI is informed a certain minority group presently intends to purchase pursuant to its subscription rights.

The proposed issue and sale of common stock has been submitted to the Pennsylvania Public Utilities Commission for its approval.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3240; Filed, Apr. 13, 1948;
 8:50 a. m.]

[File Nos. 70-1792, 70-1799]

CENTRAL VERMONT PUBLIC SERVICE CORP.
 AND NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING
 AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of April 1948.

Notice is hereby given that Central Vermont Public Service Corporation ("Cen-

tral Vermont") a public utility subsidiary of New England Public Service Company ("NEPSCO"), a registered holding company has filed an application and declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 and has designated sections 6 (b) 7 (e) 9 (a) 10, 12 (c) 12 (e) and 12 (f) of the act and Rules U-42, U-43, U-45 U-46, U-50, U-62, U-63 and U-65 promulgated thereunder as applicable to the proposed transactions. NEPSCO, owner of 35.46% of the presently outstanding common stock of Central Vermont, has also filed an application and declaration, pursuant to sections 6 (a) 7, 9 (a) 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, in connection with the application and declaration filed by Central Vermont.

All interested persons are referred to said applications and declarations which are on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Central Vermont proposes to amend its Articles of Association in order to: (a) reduce the number of its presently outstanding 363,000 shares of common stock, no par value, by 1 out of 10, or by 36,300 shares and (b) increase the number of authorized shares of common stock by not more than 1,000,000 shares. The capital surplus in the amount of \$419,707.60 created by said reduction will be partially absorbed by having charged against it a deficit in the earned surplus account as of June 30, 1947, which will have been created as described below. It is stated that the company has heretofore (a) retired electric and gas properties lost or damaged by a flood which occurred on June 3, 1947 and has charged the greater part of the amount at which these properties were carried on its books (about \$578,000) to the related depreciation reserves; (b) charged to a suspense account all charges already incurred due to the flood and set up a reserve, by a charge to said suspense account, for possible future charges of like nature; and (c) credited to the suspense account the amount of estimated reductions, caused by charges resulting from the flood, in income taxes payable by the company. Central Vermont proposes, after the adoption of the proposed amendment, to charge the balance of the suspense account to earned surplus as at June 30, 1947; the amount of the deficit created thereby will be charged to the capital surplus created by the capital stock reduction, leaving some capital surplus.

Central Vermont proposes to solicit proxies from its stockholders in connection with the adoption of the amendment to its Articles of Association and related matters. It is stated that the solicitation will be made by officers and employees of the company principally by mail but if the company should decide to employ others for compensation, it will file an amendment.

Central Vermont further proposes to issue and sell for cash sufficient shares of new common stock to yield approximately \$3,000,000. The company estimates that not more than 600,000 shares

will be necessary for this purpose. Stockholders of the company do not have preemptive rights. However, the company proposes to offer the new common stock to its common stockholders for subscription ratably in accordance with the number of shares held by them. In addition, common stockholders will be offered the opportunity to subscribe, subject to allocation, for shares of the new common stock in excess of the amount for which they are ratably entitled. Holders of the company's preferred stock will also be offered, subject to allocation among them and subject to prior allocation to holders of the common stock, the right to subscribe for new common stock.

Central Vermont further proposes to issue and sell privately for cash \$1,500,000 principal amount of First Mortgage ---% Bonds, Series E, to be dated May 1, 1948, and to be due May 1, 1978, to be issued under and secured by an indenture to Old Colony Trust Company, as trustee, dated October 1, 1929, as supplemented.

Central Vermont requests an exemption from the competitive bidding requirements of Rule U-50 with respect to the sale of new common stock and bonds. The proposed issue of new common stock will be underwritten by an underwriter or underwriters to be selected by the company. The amount of fees, and commissions, including a stand-by charge, on the common stock, the name or names of the underwriters, the interest rate of the Series E Bonds, the names of the purchasers, the amount of their several commitments, and the price to be received by the company, will be supplied by amendment.

It is proposed that the Directors of Central Vermont be authorized by the stockholders to charge to the capital surplus to be created by the capital stock reduction an amount equal to the two quarterly dividend installments which accrued on the company's preferred stock on October 1, 1947, and January 1, 1948, such charge to be made upon the declaration of said dividend.

The proceeds to be received by Central Vermont from the sale of common stock and bonds will be used to pay temporary borrowings, incurred for the company's 1947-1948 construction program, and for other corporate purposes, including payment for other construction requirements, payment or reimbursement of the company for the payments of (a) repairs to and replacements of its property lost in the flood of June 3, 1947, and (b) compromise settlements of claims for alleged damages growing out of the flood.

It is represented by Central Vermont that the Public Service Commissions of the States of Vermont and New Hampshire have jurisdiction over the proposed issuance and sale of common stock and bonds.

Central Vermont requests acceleration of the Commission's action on its declaration pursuant to Rule U-62 and on its application for exemption from Rule U-50, and requests that the Commission's order with respect to these matters be entered not later than April 23, 1948.

NEPSCO, as owner of 35.46% of Central Vermont's common stock, proposes to subscribe for a sufficient number of

shares of the new common stock of Central Vermont. It is stated that NEPSCO does not have available sufficient funds to finance the purchase of new common stock of Central Vermont. It proposes to borrow such funds, or some part thereof, and to issue as evidence thereof, its promissory notes, secured by collateral, in an amount sufficient to enable it to subscribe for its proportionate shares of said new common stock. It is stated that it is expected that such borrowing, which will not exceed \$1,000,000, will be made through The First National Bank of Boston. The amount of the loan, the maturities and interest rate on the notes, and a description of the collateral securing said notes, will be supplied by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to said applications and declarations and that said applications and declarations shall not be granted nor permitted to become effective except pursuant to further order of the Commission; and

It further appearing that the proceedings with respect to the application and declaration of Central Vermont (File No. 70-1792) and the proceeding with respect to the application and declaration of NEPSCO (File No. 70-1799) are related and involve common questions of law and fact and that substantial savings of time and expense will result if such proceedings are consolidated and heard together;

It is ordered, That the proceeding with respect to the application and declaration filed by Central Vermont (File No. 70-1792) and the proceeding with respect to the application and declaration filed by NEPSCO (File No. 70-1799) be, and the same hereby are consolidated for hearing, without prejudice, however, to the right of the Commission to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, matters or questions herein set forth or which may arise in these proceedings or to take such other action as may appear necessary or appropriate to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That a hearing on said applications and declarations, pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, be held on April 15, 1948, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of this Commission, on or before April 13, 1948, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift, or any other officer or officers of

this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the applications and declarations and that, upon the basis thereof, the following matters and questions, are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the proposed issue and sale of bonds and common stock by Central Vermont is solely for the purpose of financing the business of the company and has been expressly authorized by the State Commissions of the States in which the company is organized and doing business.

2. Whether the proposed amendment by Central Vermont to its Articles of Association satisfies the requirements of section 7 (e) of the act.

3. Whether the indenture, as supplemented, securing the issue of proposed bonds by Central Vermont contains adequate protective provisions.

4. Whether the requested exemption by Central Vermont from the competitive bidding requirements of Rule U-50 should be granted.

5. Whether the proposed solicitation of authorizations by Central Vermont in connection with the proposed amendment to its Articles of Association complies with the applicable provisions of section 12 (e) of the act and Rule U-62 promulgated thereunder.

6. Whether the proposed accounting entries, including particularly those relating to capital adjustments effecting a reduction of the present stock, to be recorded by Central Vermont in connection with the proposed transactions are proper and conform with sound accounting principles and meet the standards of the act.

7. Whether the proposed payment of preferred dividends out of capital meets the standards of section 12 (c) of the act and Rule U-46 promulgated thereunder.

8. Whether the proposed issuance and sale by NEPSCO of its promissory notes meets the requirements of section 7 of the act.

9. Whether the proposed acquisition by NEPSCO of the shares of new common stock of Central Vermont meets the requirements of section 10, particularly subsection (c) thereof.

10. Whether the fees, commission and other remunerations to be paid in connection with the proposed transactions are reasonable.

11. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions and, if so, what the terms and conditions should be.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Central Vermont Public Service Corporation, New England Public Service Company, The New Hampshire Public Service Commission, The Vermont Public Service Commission, and The Federal Power Commission; and that notice of said reconvened hearing shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS, -
Secretary.

[F. R. Doc. 48-3241; Filed, Apr. 13, 1948;
8:50 a. m.]

[File No. 70-1774]

NORTHERN STATES POWER CO. (MINNESOTA)

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 6th day of April A. D. 1948.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern States Power Company (Minnesota) a registered holding company and a subsidiary company of Northern States Power Company (Delaware), likewise a registered holding company. Applicant has designated sections 9 (a) and 10 of said act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 13, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of law or fact raised by said application proposed to be controverted, or may request that he be notified if the Commission should hold a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 13, 1948, said application may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Northern States Power Company (Minnesota) proposes to acquire from the City of Sioux Falls, South Dakota, an electric distribution system in said City for a cash consideration of \$37,000. Expenses in connection with said acquisition are estimated at \$500. The application states that no State or other

Federal Commission has jurisdiction over the proposed transaction.

Applicant requests that the order of the Commission become effective immediately upon its issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3242; Filed, Apr. 13, 1948;
8:51 a. m.]

[File No. 7-1050]

CANADIAN PACIFIC RAILWAY CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of April A. D. 1948.

The Chicago Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Ordinary Capital Stock, \$25.00 Par Value, of Canadian Pacific Railway Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 3, 1948, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3243; Filed, Apr. 13, 1948;
8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9597, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9789, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10936]

LUISE BAYER

In re: Estate of Luise Bayer, deceased.
File D-28-10782; E. T. sec. 15245.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhemine Burkhardt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Luise Bayer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Leroy S. Reeve, as executor, acting under the judicial supervision of the Surrogate's Court of Suffolk County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3276; Filed, Apr. 13, 1948; 8:48 a. m.]

[Vesting Order 10971]

EDWARD AND MARTHA WOJAHN

In re: Stock owned by Edward Wojahn and Martha Wojahn. F-28-25235-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Edward Wojahn and Martha Wojahn, whose last known address is Selchowhammer, Netze, Krs, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Twenty-one (21) shares of \$10.00 par value common capital stock of the First National Bank of Islip, Islip, New York, a corporation organized under the laws of the State of New York, evidenced

by a certificate numbered 1082, registered in the name of Edward Wojahn or Martha Wojahn, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3227; Filed, Apr. 12, 1948; 8:49 a. m.]

[Vesting Order 10376]

JOSEPH ASCHENBRENNER

In re: Estate of Joseph Aschenbrenner, deceased. File No. D-28-7743 E. T. 8348.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Aschenbrenner, Ludwig Aschenbrenner and Terese Ludwig Mueller (nee Schnapp), whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Joseph Aschenbrenner, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by John M. Renner, Administrator, d. b. n., with the will annexed, acting under the judicial supervision of the Probate Court of Hamilton County, State of Ohio,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3277; Filed, Apr. 13, 1948; 8:48 a. m.]

[Vesting Order CE 437]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS BY CERTAIN PENNSYLVANIA, MISSOURI, AND OHIO COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United

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States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on April 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
Cornelia Evelyn de Croy now deceased.	Belgium	<i>Item 1</i> Trust under the Will of William O. Scott, deceased. Orphans' Court, Montgomery County, Pa.	(?)	Robert W. Whiton Stuart, ancillary administrator c. t. a., estate of Cornelia Evelyn de Croy, c/o the George Fuller Co., 597 Madison Ave., New York, N. Y.	\$120
Girsh Ringel	Lithuania	<i>Item 2</i> Oscar Ringel, and others, v. E. L. Ginsberg, and others, Circuit Court, Jackson County, Kansas City, Mo.	\$1,398.17	Mr. Philip L. Levi, trustee, 1209 Commerce Bldg., Kansas City, Mo.	153
John Dlace Junior	Italy	<i>Item 3</i> Estate of John Dlace, deceased. Probate Court, Franklin County, Ohio.	78.94	Walter R. Snider, administrator, 665 Parsons Ave., Columbus, Ohio.	15
Mary Dlace	do.	<i>Item 4</i> Same	78.94	Same	15
Antonio Dlace	do.	<i>Item 5</i> Same	78.93	Same	15

¹ Approximately \$46,460.

[F. R. Doc. 48-3229; Filed, Apr. 12, 1948; 8:49 a. m.]

[Vesting Order CE 438]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OHIO, MINNESOTA, ILLINOIS AND NEW JERSEY COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in con-

nection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or

are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR Cum. Supp., 503.6)

Executed at Washington, D. C., on April 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Sandor Tarkanyi, Sari Tarkanyi, Stephen Tarkanyi, and Adam Tarkanyi.	<i>Item 1</i> Hungary	Estate of Bela T. Tarkany, deceased. Probate Court, Cuyahoga County, Ohio, No. 377129.	\$59	Sam Berger	<i>Item 6</i> Austria	Estate of Bertha Tobe, deceased. Probate Court, Cook County, Ill., file No. 46 P 4393, docket 452, page 553.	\$22
Alberta Bonucci	<i>Item 2</i> Italy	Estate of Peter (Pasquale) Spina, deceased. Probate Court, St. Louis County, Minn.	65	Esther Berger	<i>Item 7</i> Austria	Same	22
Elisa Bonucci	<i>Item 3</i> Italy	Same	65	Josephine (Giopeno) Lavido.	<i>Item 8</i> Italy	Estate of Michele Poppo, also known as Michael Poppo, deceased. Monmouth County, Surrogate's Court, New Jersey.	16
Fiorella (Fiviella) Bedini	<i>Item 4</i> Italy	Same	65	Leon (Lelonad) Poppo	<i>Item 9</i> Italy	Same	16
Roffele Bedini	<i>Item 5</i> Italy	Same	65	Antomette (Antumeto) Salmido.	<i>Item 10</i> Italy	Same	15

[F. R. Doc. 48-3230; Filed, Apr. 12, 1948; 8:49 a. m.]